

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

February 15, 2022

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Richard Neal  
Chairman  
U.S. House Committee on Ways and Means  
Washington, D.C. 20515

The Honorable Kevin Brady  
Ranking Member  
U.S. House Committee on Ways and Means  
Washington, D.C. 20515

Dear Speaker Pelosi, Leader McCarthy, Chairman Neal, and Ranking Member Brady:

We write to urge you to discharge H.R. 82, the Social Security Fairness Act, from the Ways and Means Committee and bring it to the House floor for a vote as soon as possible. Passing the Social Security Fairness Act will immediately benefit millions of retired police officers, federal employees, first responders, and other public servants. H.R. 82 has significant bipartisan support – of the more than 7,700 bills introduced this Congress, only 18 have more co-sponsors – and it’s time for the House to vote.

The Social Security Fairness Act would remove both the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO) from the Social Security Act. The WEP and the GPO have substantially reduced more than 2 million retired public sector employees’ Social Security benefits, affecting about 4 percent of all Social Security beneficiaries. In 2020 the WEP reduced benefits for 48,697 Virginians and 99,640 Illinoisians<sup>1</sup> and the GPO reduced benefits for 7,849 Virginians and 48,046 Illinoisians.<sup>2</sup>

When Congress passed the provisions in 1983, it intended to remove a “windfall” for retirees who spent time in jobs not covered by Social Security and also worked in other jobs where they did pay Social Security taxes. In practice, the two provisions dramatically reduce the benefit of low-paid public employees and create an inequity for those public sector employees who also spent time in jobs covered by Social Security.

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<sup>1</sup> CRS “Social Security: The Windfall Elimination Provision.” Update November 16, 2021. Available at: <https://sgp.fas.org/crs/misc/98-35.pdf>.

<sup>2</sup> CRS, “Social Security: The Government Pension Offset.” Updated February 8, 2021. Available at: <https://sgp.fas.org/crs/misc/RL32453.pdf>.

Worse still, the WEP and GPO use arbitrary and regressive formulas to calculate their reductions to a retirees' benefits. The WEP reduces benefits for a retired worker with a public service pension by as much as \$498 per month in 2021. Since the WEP formula applies to the first bracket of the Social Security wage replacement formula, it causes a relatively large reduction in benefits to lower-paid workers. The GPO reduces Social Security benefits for spouses or survivors who also earned a pension by up to two-thirds of their monthly pension benefits. The decision to reduce spousal benefits by two-thirds was not based on any analysis, but an arbitrary amount decided in conference between the two chambers in 1983.

Bipartisan legislation to repeal the WEP and the GPO has been introduced in every Congress since at least 2001. Nearly 40 years after Congress passed these provisions, the 117<sup>th</sup> Congress should be the one to finally fix this long-standing inequity and protect the benefits of individuals who made careers out of public service by voting on and passing the Social Security Fairness Act.

Sincerely,



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Abigail D. Spanberger  
Member of Congress



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Rodney Davis  
Member of Congress